

Authority, Section 3—Definitions, Section 4—Diluting and concealing emissions, Section 5—Abnormal conditions and equipment malfunction; Chapter 2: Section 2—Ambient standards for particulate matter, paragraphs 2(a) and 2(c) only, Section 3—Ambient standards for nitrogen oxides, Section 4—Ambient standards for sulfur oxides, Section 5—Ambient standards for carbon monoxide, Section 6—Ambient standards for ozone, Section 8—Ambient standard for suspended sulfates, Section 10—Ambient standards for lead; Chapter 3: Section 2—Emission standards for particulate matter, Section 3—Emission standards for nitrogen oxides, Section 4—Emission standards for sulfur oxides, Section 5—Emission standards for carbon monoxide, Section 6—Emission standards for volatile organic compounds; Chapter 4: Section 2—Existing sulfuric acid production units, Section 3—Existing nitric acid manufacturing plants; Chapter 6: Section 2—Permit requirements for construction, modification and operation, Section 4—Prevention of significant deterioration; Chapter 7: Section 2—Continuous monitoring requirements for existing sources; Chapter 8: Section 2—Sweetwater County particulate matter regulations, Section 3—Conformity of general federal actions to state implementation plans; Chapter 9: Section 2—Visibility; Chapter 10: Section 2—Open burning restrictions, Section 3—Wood waste burners; Chapter 12: Section 2—Air pollution emergency episodes; Chapter 13: Section 2—Motor vehicle pollution control; all adopted September 13, 1999 and effective October 29, 1999.

(ii) Additional Material.

(A) Remainder of the September 12, 2003 State submittal.

(B) January 12, 2004 letter from Dan Olson, Wyoming Department of Environmental Quality (DEQ), to Richard Long, EPA Region VIII, to address typographical errors and incorrect cross references identified in the September 12, 2003 submittal.

(C) March 22, 2004 letter from Richard Long, EPA Region VIII, to John Corra, Wyoming DEQ, requesting clarification on the State's commitment to submit substantive SIP revisions following EPA's approval of the restructured and

renumbered WAQS&R provisions. In this letter, EPA also asked DEQ to indicate time frames in which DEQ would submit substantive SIP revisions.

(D) March 29, 2004 letter from John Corra, Wyoming DEQ, to Richard Long, EPA Region VIII, addressing the concerns expressed in Mr. Long's March 22, 2004 letter.

[37 FR 10903, May 31, 1972. Redesignated at 71 FR 64462, Nov. 2, 2006]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2635, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

#### § 52.2636 Implementation plan for regional haze.

(a) *Applicability.* (1) This section applies to each owner and operator of the following emissions units in the State of Wyoming for which EPA approved the State's BART determination:

(i) FMC Westvaco Trona Plant Units NS-1A and NS-1B (PM and NO<sub>x</sub>);

(ii) TATA Chemicals Partners (previously General Chemical) Boilers C and D (PM and NO<sub>x</sub>);

(iii) Basin Electric Power Cooperative Laramie River Station Units 1, 2, and 3 (PM);

(iv) PacifiCorp Dave Johnston Power Plant Unit 3 (PM);

(v) PacifiCorp Dave Johnston Power Plant Unit 4 (PM and NO<sub>x</sub>);

(vi) PacifiCorp Jim Bridger Power Plant Units 1, 2, 3, and 4 (PM and NO<sub>x</sub>);

(vii) PacifiCorp Naughton Power Plant Units 1, 2, and 3 (PM and NO<sub>x</sub>); and

(viii) PacifiCorp Wyodak Power Plant Unit 1 (PM).

(2) This section also applies to each owner and operator of the following emissions units in the State of Wyoming for which EPA disapproved the State's BART determination and issued a NO<sub>x</sub> BART Federal Implementation Plan:

(i) Basin Electric Power Cooperative Laramie River Station Units 1, 2, and 3;

(ii) PacifiCorp Dave Johnston Unit 3; and

(iii) PacifiCorp Wyodak Power Plant Unit 1.

(b) *Definitions.* Terms not defined below shall have the meaning given

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them in the Clean Air Act or EPA's regulations implementing the Clean Air Act. For purposes of this section:

(1) *BART* means Best Available Retrofit Technology.

(2) *BART unit* means any unit subject to a Regional Haze emission limit in Table 1 and Table 2 of this section.

(3) *CAM* means Compliance Assurance Monitoring as required by 40 CFR part 64.

(4) *Continuous emission monitoring system or CEMS* means the equipment required by this section to sample, analyze, measure, and provide, by means of readings recorded at least once every 15 minutes (using an automated data acquisition and handling system (DAHS)), a permanent record of NO<sub>x</sub> emissions, diluent, or stack gas volumetric flow rate.

(5) *FIP* means Federal Implementation Plan.

(6) The term *lb/hr* means pounds per hour.

(7) The term *lb/MMBtu* means pounds per million British thermal units of heat input to the fuel-burning unit.

(8) *NO<sub>x</sub>* means nitrogen oxides.

(9) *Operating day* means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the BART unit. It is not necessary for fuel to be combusted for the entire 24-hour period.

(10) The *owner/operator* means any person who owns or who operates, controls, or supervises a unit identified in paragraph (a) of this section.

(11) *PM* means filterable total particulate matter.

(12) *Unit* means any of the units identified in paragraph (a) of this section.

(c) *Emissions limitations.* (1) The owners/operators of emissions units subject to this section shall not emit, or cause to be emitted, PM or NO<sub>x</sub> in excess of the following limitations:

TABLE 1 TO §52.2636

[Emission limits for BART units for which EPA approved the State's BART and Reasonable Progress determinations]

Source name/BART unit	PM emission limits—lb/MMBtu	NO <sub>x</sub> emission limits—lb/MMBtu (30-day rolling average)
FMC Westvaco Trona Plant/Unit NS-1A .....	0.05	0.35
FMC Westvaco Trona Plant/Unit NS-1B .....	0.05	0.35
TATA Chemicals Partners (General Chemical) Green River Trona Plant/Boiler C .....	0.09	0.28
TATA Chemicals Partners (General Chemical) Green River Trona Plant/Boiler D .....	0.09	0.28
Basin Electric Power Cooperative Laramie River Station/Unit 1 .....	0.03	N/A
Basin Electric Power Cooperative Laramie River Station/Unit 2 .....	0.03	N/A
Basin Electric Power Cooperative Laramie River Station/Unit 3 .....	0.03	N/A
PacifiCorp Dave Johnston Power Plant/Unit 3 .....	0.015	N/A
PacifiCorp Dave Johnston Power Plant/Unit 4 .....	0.015	0.15
PacifiCorp Jim Bridger Power Plant/Unit 1 <sup>1</sup> .....	0.03	0.26/0.07
PacifiCorp Jim Bridger Power Plant/Unit 2 <sup>1</sup> .....	0.03	0.26/0.07
PacifiCorp Jim Bridger Power Plant/Unit 3 <sup>1</sup> .....	0.03	0.26/0.07
PacifiCorp Jim Bridger Power Plant/Unit 4 <sup>1</sup> .....	0.03	0.26/0.07
PacifiCorp Naughton Power Plant/Unit 1 .....	0.04	0.26
PacifiCorp Naughton Power Plant/Unit 2 .....	0.04	0.26
PacifiCorp Naughton Power Plant/Unit 3 .....	0.015	0.07
PacifiCorp Wyodak Power Plant/Unit 1 .....	0.015	N/A

<sup>1</sup> The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3, and 4 shall comply with the NO<sub>x</sub> emission limit for BART of 0.26 lb/MMBtu and PM emission limit for BART of 0.03 lb/MMBtu and other requirements of this section by March 4, 2019. The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3 and 4 shall comply with the NO<sub>x</sub> emission limit for reasonable progress of 0.07 lb/MMBtu by: December 31, 2022 for Unit 1, December 31, 2021 for Unit 2, December 31, 2015, for Unit 3, and December 31, 2016, for Unit 4.

TABLE 2 TO § 52.2636

[Emission limits for BART units for which EPA disapproved the State's BART determination and implemented a FIP]

Source name/BART unit	NO <sub>x</sub> emission limit—lb/MMBtu (30-day rolling average)
Basin Electric Power Cooperative Laramie River Station/Unit 1 .....	0.07
Basin Electric Power Cooperative Laramie River Station/Unit 2 .....	0.07
Basin Electric Power Cooperative Laramie River Station/Unit 3 .....	0.07
PacifiCorp Dave Johnston Unit 3 .....	*0.07
PacifiCorp Wyodak Power Plant/Unit 1 .....	0.07

\* (or 0.28 and shut-down-by December 31, 2027).

(2) These emission limitations shall apply at all times, including startups, shutdowns, emergencies, and malfunctions.

(d) *Compliance date.* (1) The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3, and 4 shall comply with the NO<sub>x</sub> emission limit of 0.26 lb/MMBtu and PM emission limit of 0.03 lb/MMBtu and other requirements of this section by March 4, 2019. The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3 and 4 shall comply with the NO<sub>x</sub> emission limit of 0.07 lb/MMBtu by: December 31, 2022 for Unit 1, December 31, 2021 for Unit 2, December 31, 2015, for Unit 3, and December 31, 2016, for Unit 4.

(2) The owners and operators of the other BART sources subject to this section shall comply with the emissions limitations and other requirements of this section by March 4, 2019.

(3) *Compliance alternatives for PacifiCorp Dave Johnston Unit 3.* (i) The owners and operators of PacifiCorp Dave Johnston Unit 3 will meet a NO<sub>x</sub> emission limit of 0.07 lb/MMBtu (30-day rolling average) by March 4, 2019; or

(ii) Alternatively, the owners and operators of PacifiCorp Dave Johnston Unit 3 will permanently cease operation of this unit on or before December 31, 2027.

(e) *Compliance determinations for NO<sub>x</sub>.* (1) For all BART units other than Trona Plant units:

(i) *CEMS.* At all times after the earliest compliance date specified in paragraph (d) of this section, the owner/operator of each unit shall maintain, calibrate, and operate a CEMS, in full

compliance with the requirements found at 40 CFR part 75, to accurately measure NO<sub>x</sub>, diluent, and stack gas volumetric flow rate from each unit. The CEMS shall be used to determine compliance with the emission limitations in paragraph (c) of this section for each unit.

(ii) *Method.* (A) For any hour in which fuel is combusted in a unit, the owner/operator of each unit shall calculate the hourly average NO<sub>x</sub> emission rate in lb/MMBtu at the CEMS in accordance with the requirements of 40 CFR part 75. At the end of each operating day, the owner/operator shall calculate and record a new 30-day rolling average emission rate in lb/MMBtu from the arithmetic average of all valid hourly emission rates from the CEMS for the current operating day and the previous 29 successive operating days.

(B) An hourly average NO<sub>x</sub> emission rate in lb/MMBtu is valid only if the minimum number of data points, as specified in 40 CFR part 75, is acquired by both the pollutant concentration monitor (NO<sub>x</sub>) and the diluent monitor (O<sub>2</sub> or CO<sub>2</sub>).

(C) Data reported to meet the requirements of this section shall not include data substituted using the missing data substitution procedures of subpart D of 40 CFR part 75, nor shall the data have been bias adjusted according to the procedures of 40 CFR part 75.

(2) For all Trona Plant BART units:

(i) *CEMS.* At all times after the compliance date specified in paragraph (d) of this section, the owner/operator of each unit shall maintain, calibrate, and operate a CEMS, in full compliance with the requirements found at 40 CFR part 60, to accurately measure NO<sub>x</sub>, diluent, and stack gas volumetric flow rate from each unit, including the CEMS quality assurance requirements in appendix F of 40 CFR part 60. The CEMS shall be used to determine compliance with the emission limitations in paragraph (c) of this section for each unit.

(ii) *Method.* (A) For any hour in which fuel is combusted in a unit, the owner/operator of each unit shall calculate the hourly average NO<sub>x</sub> emission rate in lb/MMBtu at the CEMS in

accordance with the requirements of 40 CFR part 60. At the end of each operating day, the owner/operator shall calculate and record a new 30-day rolling average emission rate in lb/MMBtu from the arithmetic average of all valid hourly emission rates from the CEMS for the current operating day and the previous 29 successive operating days.

(B) An hourly average NO<sub>x</sub> emission rate in lb/MMBtu is valid only if the minimum number of data points, as specified in 40 CFR part 60, is acquired by both the pollutant concentration monitor (NO<sub>x</sub>) and the diluent monitor (O<sub>2</sub> or CO<sub>2</sub>).

(f) *Compliance determinations for particulate matter.* Compliance with the particulate matter emission limit for each BART unit shall be determined from annual performance stack tests. Within 60 days of the compliance deadline specified in paragraph (d) of this section, and on at least an annual basis thereafter, the owner/operator of each unit shall conduct a stack test on each unit to measure particulate emissions using EPA Method 5, 5B, 5D, or 17, as appropriate, in 40 CFR part 60, Appendix A. A test shall consist of three runs, with each run at least 120 minutes in duration and each run collecting a minimum sample of 60 dry standard cubic feet. Results shall be reported in lb/MMBtu. In addition to annual stack tests, the owner/operator shall monitor particulate emissions for compliance with the BART emission limits in accordance with the applicable Compliance Assurance Monitoring (CAM) plan developed and approved by the State in accordance with 40 CFR part 64.

(g) *Recordkeeping.* The owner/operator shall maintain the following records for at least five years:

(1) All CEMS data, including the date, place, and time of sampling or measurement; parameters sampled or measured; and results.

(2) Records of quality assurance and quality control activities for emissions measuring systems including, but not limited to, any records required by 40 CFR part 75. Or, for Trona Plant units, records of quality assurance and quality control activities for emissions measuring systems including, but not

limited to appendix F of 40 CFR part 60.

(3) Records of all major maintenance activities conducted on emission units, air pollution control equipment, and CEMS.

(4) Any other CEMS records required by 40 CFR part 75. Or, for Trona Plant units, any other CEMS records required by 40 CFR part 60.

(5) Records of all particulate stack test results.

(6) All data collected pursuant to the CAM plan.

(h) *Reporting.* All reports under this section shall be submitted to the Director, Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency, Region 8, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, Colorado 80202-1129.

(1) The owner/operator of each unit shall submit quarterly excess emissions reports for NO<sub>x</sub> BART units no later than the 30th day following the end of each calendar quarter. Excess emissions means emissions that exceed the emissions limits specified in paragraph (c) of this section. The reports shall include the magnitude, date(s), and duration of each period of excess emissions, specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the unit, the nature and cause of any malfunction (if known), and the corrective action taken or preventative measures adopted.

(2) The owner/operator of each unit shall submit quarterly CEMS performance reports, to include dates and duration of each period during which the CEMS was inoperative (except for zero and span adjustments and calibration checks), reason(s) why the CEMS was inoperative and steps taken to prevent recurrence, and any CEMS repairs or adjustments. The owner/operator of each unit shall also submit results of any CEMS performance tests required by 40 CFR part 75. Or, for Trona Plant units, the owner/operator of each unit shall also submit results of any CEMS performance test required appendix F of 40 CFR part 60 (Relative Accuracy Test Audits, Relative Accuracy Audits, and Cylinder Gas Audits).

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(3) When no excess emissions have occurred or the CEMS has not been inoperative, repaired, or adjusted during the reporting period, such information shall be stated in the quarterly reports required by paragraphs (h)(1) and (2) of this section.

(4) The owner/operator of each unit shall submit results of any particulate matter stack tests conducted for demonstrating compliance with the particulate matter BART limits in paragraphs (c) of this section, within 60 calendar days after completion of the test.

(5) The owner/operator of each unit shall submit semi-annual reports of any excursions under the approved CAM plan in accordance with the schedule specified in the source's title V permit.

(i) *Notifications.* (1) The owner/operator shall promptly submit notification of commencement of construction of any equipment which is being constructed to comply with the NO<sub>x</sub> emission limits in paragraph (c) of this section.

(2) The owner/operator shall promptly submit semi-annual progress reports on construction of any such equipment.

(3) The owner/operator shall promptly submit notification of initial startup of any such equipment.

(j) *Equipment operation.* At all times, the owner/operator shall maintain each unit, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

(k) *Credible evidence.* Nothing in this section shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with requirements of this section if the appropriate performance or compliance test procedures or method had been performed.

[79 FR 5220, Jan. 30, 2014]

### **§ 52.2637 Federal implementation plan for reasonable attributable visibility impairment long-term strategy.**

As required by 40 CFR 41.306(c), EPA will ensure that the review of the State's reasonably attributable visibility impairment long-term strategy is coordinated with the regional haze

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long-term strategy under 40 CFR 51.308(g). EPA's review will be in accordance with the requirements of 40 CFR 51.306(c).

[79 FR 5222, Jan. 30, 2014]

## Subpart AAA—Guam

### **§ 52.2670 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Guam under section 110 of the Clean Air Act, 42 U.S.C. 7401–7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to January 1, 2005, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after January 1, 2005, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region IX certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of January 1, 2005.

(3) Copies of the materials incorporated by reference may be inspected at the Region IX EPA Office at 75 Hawthorne Street, San Francisco, CA 94105; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B108, Washington, DC; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) *EPA approved regulations.*